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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,462	07/11/2003	Patrice Pctong	8393MCL	3245

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EXAMINER

AIRAPETIAN, MILA

ART UNIT PAPER NUMBER

3625

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/617,462	PETONG, PATRICE	
	Examiner	Art Unit	
	Mila Airapetian	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's amendment received on 09/25/2006 is acknowledged and entered. The applicant has amended claims 2, 3, 5, 15 and 17. Currently, claims 2, 3, 5, 15 and 17 are pending for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-8, 14, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes et al. (US 5,970,475) in view of Lederer Jr. et al. (US 2002/0023109).

Claim 1. Barnes et al. (hereinafter Barnes) teaches an electronic procurement system and method for trading partners comprising:

(a) providing a web order management computer system, a remote buyer's computer system, and a communications link therebetween (Figs. 1, 2);

(b) displaying at said remote buyer's computer system, under control of said web order management computer system, an order pad screen (col. 4, line 8) that displays

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at least one of: (i) all products available for purchase by a buyer using said remote buyer's computer system, and (ii) only a pre-selected customer specific subset of the products that are available for purchase by a buyer using said remote buyer's computer system, wherein said subset of the products is pre-selected by said buyer (col. 4, lines 5-25, col. 6, lines 57-60);

(d) said buyer submitting said quality order to said web order management system, by selecting at least one predetermined command (col. 8, lines 52-53).

While Barnes teaches filling orders for goods, he does not explicitly teach that (c) said buyer interactively entering ordering information at predetermined locations on said order pad screen until, under control of said web order management computer system, and that a quality order is validated in substantially real time.

Lederer Jr. et al. (hereinafter Lederer) teaches a method for ensuring compliance with regulations wherein:

(c) said buyer interactively entering ordering information at predetermined locations on said order pad screen until, under control of said web order management computer system (Fig. 21, [0151], [0152]), a quality order is validated in substantially real time ([0042], receiving information via email [0055] indicates substantially real time environment).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barnes to include that said buyer interactively entering ordering information at predetermined locations on said order pad screen until, under

control of said web order management computer system, and that a quality order is validated in substantially real time, as specifically disclosed by Lederer, because it would allow the users to more efficiently interact with the system, and more directly and more quickly perform various maintenance tasks on the regulation-compliance system, as well as more efficiently retrieve desired information from the regulation-compliance system, as specifically taught by Lederer [0016].

Claim 4. Barnes teaches said method, wherein said pre-selected customer specific subset of the products that are available for purchase by a buyer comprises a group of products that are related to one another by at least one common characteristic (office supplies) (col. 6, lines 18-22).

Claim 5. Barnes teaches an electronic procurement system and method for trading partners comprising:

(a) providing a web order management system, a first remote buyer's computer system, a communications link therebetween, second remote buyer's computer system, and a communications link between said web order management system and said second remote buyer's computer system (col. 7, lines 50-54);

(b) displaying at said first remote buyer's computer system, under control of said web order management computer system, a first product catalog screen in which only a first set of pre-determined products is displayed for said first buyer to select from, wherein said first set of pre-determined products is a first subset of all products sold by way of said web order management system, and wherein said first set of pre-

determined products is selected by an administrator of said web order management system (col. 6, lines 57-65);

(c) displaying at said second remote buyer's computer system, under control of said web order management computer system, a second product catalog screen in which only a second set of pre-determined products is displayed for said second buyer to select from, wherein said second set of pre-determined products is a second, different subset of all products sold by way of said web order management computer system, and wherein said second set of pre-determined products is selected by an administrator of said web order management system (col. 6, lines 57-65).

While Barnes teaches filling orders for goods, he does not explicitly teach that said buyers interactively entering ordering information at predetermined locations on said order pad screen until, under control of said web order management computer system, and that a quality order is validated in substantially real time.

Lederer Jr. et al. (hereinafter Lederer) teaches a method for ensuring compliance with regulations wherein:

(c) said buyer interactively entering ordering information at predetermined locations on said order pad screen until, under control of said web order management computer system (Fig. 21, [0151], [0152]), a quality order is validated in substantially real time ([0042], receiving information via email [0055] indicates substantially real time environment).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barnes to include that said buyer interactively entering ordering information at predetermined locations on said order pad screen until, under control of said web order management computer system, and that a quality order is validated in substantially real time, as specifically disclosed by Lederer, because it would allow the users to more efficiently interact with the system, and more directly and more quickly perform various maintenance tasks on the regulation-compliance system, as well as more efficiently retrieve desired information from the regulation-compliance system, as specifically taught by Lederer [0016].

Claim 6. Barnes teaches said method wherein said first set of pre-determined products represents all products that can be purchased by said first buyer when using said web order management computer system, and wherein said second set of pre-determined products represents all products that can be purchased by said second buyer when using said web order management system (col. 6, lines 57-65).

Claim 7. Barnes teaches said method wherein said first set of pre-determined products represents a subset of all products that can be purchased by said first buyer when using said web order management computer system, and wherein said second set of pre-determined products represents a subset of all products that can be purchased by said second buyer when using said web order management system (col. 6, lines 57-65; col. 8, lines 43-47).

Claim 8. Barnes teaches said method further comprising:

displaying on at least one additional remote buyer's computer system, under control of said web order management computer system, at least one additional product catalog screen in which only at least one additional set of pre-determined products is displayed for said at least one additional remote buyer to select from, wherein said at least one additional set of pre-determined products is an additional, different subset of all products sold by way of said web order management computer system, and wherein said at least one additional set of pre-determined products is selected by an administrator of said web order management system (col. 6, lines 57-65; col. 8, lines 43-47).

Claim 14. Barnes teaches an electronic procurement system and method for trading partners comprising:

(a) providing a web order management computer system, said web order management computer system being capable of being connected to a remote buyer's computer system (Figs. 1, 2);

(b) causing an order pad screen to be displayed at said remote buyer's computer system under control of said web order management computer system, said order pad screen displaying at least one of the group consisting of: (i) all products available for purchase using said remote buyer's computer system, and (ii) only a pre-selected customer specific subset of the products that are available for purchase using said remote buyer's computer system, wherein said subset of the products is pre-selected by said buyer (col. 4, lines 52-53);

(c) receiving ordering information from said buyer's computer system, wherein said ordering information is entered at predetermined locations on said order pad screen (col. 4, lines 23);

(e) receiving from said buyer's system computer a validated quality though the selection of at least one predetermined command (col. 8, lines 52-53).

However Barnes does not teach:

(d) interactively evaluating said ordering information to determine if such information represents a quality order and providing to said buyer's computer system information pertaining to the quality order status of said ordering information such that updated ordering information may be repetitively received and evaluated in substantially real time until a quality order is received and validated.

Lederer Jr. et al. (hereinafter Lederer) teaches a method for ensuring compliance with regulations including:

interactively evaluating said ordering information to determine if such information represents a quality order and providing to said buyer's computer system information pertaining to the quality order status of said ordering information such that updated ordering information may be repetitively received and evaluated in substantially real time until a quality order is received and validated (Fig. 21, [0151], [0152]), a quality order is received and validated in substantially real time [0042].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barnes to include that said buyer interactively entering ordering information at predetermined locations on said order pad screen until, under control of said web order management computer system, and that a quality order is validated in substantially real time, as specifically disclosed by Lederer, because it would allow the users to more efficiently interact with the system, and more directly and more quickly perform various maintenance tasks on the regulation-compliance system, as well as more efficiently retrieve desired information from the regulation-compliance system, as specifically taught by Lederer [0016].

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Barnes and Lederer, as applied to claim 1, in view of Price et al. (US 2002/0082881).

Claim 2. Barnes teaches all the limitations of claim 2, including entering by the buyer a quantity as part of the step of placing said quality order (See Fig. 11), except specifically teaching that when said buyer enters said quantity, said web order management system provides the buyer with an "easy typing" feature that automatically converts a number of pallets or layers of products into a number of cases of the same products.

Price et al. (Price) teaches a method for interactively ordering products over the Internet, wherein, when buyer enters the order for sets (quantity) of products (such as

pencils, paper, and simple office supplies), the total quantity of said products ordered is converted into the number of units for the purposes of calculating charges [0054]; [0039].

It would have been obvious to one having ordinary skill in art at the time the invention was made to modify Barnes to include that when said buyer enters said quantity, said web order management system provides the buyer with an "easy typing" feature that automatically converts a number of pallets or layers of products into a number of cases of the same products, as indicated in Price, because it would advantageously allow to employ a Single Unit pricing mechanism for the products ordered by calculating a single charge per all of the qualifying events in the bill period, based upon the combined quantity of the products ordered, so that in the case of volume a charge per item, per category of item (e.g., office supplies), or per any other unit or multiple of units is possible (Price; [0054]).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Barnes and Lederer, as applied to claim 1, in view of Moore (US 6,456,729).

Claim 3. Barnes teaches all the limitations of claim 3, including entering by the buyer a quantity as part of the step of placing said quality order (See Fig. 11), except specifically teaching that when said buyer enters said quantity as part of the step of placing said quality order, said web order management system automatically

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determines a "pack level" for each individual product that is available for purchase using said web order management system.

Moore teaches a method for tracking various goods in e-commerce environment, and discloses a current practice of packaging goods, wherein a package modules comprising "cases" of multiple cartons of items (cigarettes), said cartons of cigarettes are include a plurality of packs, and wherein said items can be sold at any desired "pack" level (cases, cartons, or packs) (col. 2, lines 33-48).

It would have been obvious to one having ordinary skill in art at the time the invention was made to modify Barnes to include that when said buyer enters said quantity as part of the step of placing said quality order, said web order management system automatically determines a "pack level" for each individual product that is available for purchase using said web order management system, as disclosed in Moore, because it would advantageously allow to track the distribution of items ordered over the Internet, thereby preventing the circulation of contraband goods and enhancing security (Moore; (col. 2, lines 33-48).

Claims 9-13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes in view Ferguson et al. (US 5,966,697).

Claim 9. Barnes teaches an electronic procurement system and method for trading partners comprising:

(a) providing a web order management computer system, a remote buyer's computer system, and a communications link therebetween (Figs. 1, 2);

(b) displaying at said remote buyer's computer system, under control of said web order management system, an order pad screen (catalog) which displays a plurality of products that are available for purchase by a buyer using said remote buyer's computer system (col. 4, lines 5-25; col. 6, lines 57-60);

(d) said buyer submitting said quality order to said web order management system, by selecting at least one predetermined command (col. 8, lines 52-53).

However, Barnes does not teach that:

(i) completing a first procedure that finishes a first order, or (ii) not completing said first procedure and instead commencing a second procedure to enter ordering information for a second order on said order pad screen; and continuing to enter ordering information for said first order or said second order under control of said web order management system, until receiving a message from said web order management system that a quality order had been achieved for one of said first and second orders.

Ferguson et al. (hereinafter Ferguson) teaches a method for secure transaction order management processing comprising:

completing the first order (a first procedure that finishes a first order) (col. 12, lines 35-36), or continue shopping (not completing said first procedure) (col. 12, lines 35-36); or selecting a different merchant rather than go back to the display of items at

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the current merchant (instead commencing a second procedure to enter ordering information for a second order on said order pad screen) (col., 12, lines 37-44); and continuing to enter ordering information for said first order or said second order under control of said web order management system (col. 2, lines 38-40); upon completion of the transaction, providing a receipt to the user (until receiving a message from said web order management system that a quality order had been achieved for one of said first and second orders) (col. 12, lines 64-67; col. 13, lines 3-6).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Barnes to include (i) completing a first procedure that finishes a first order, or (ii) not completing said first procedure and instead commencing a second procedure to enter ordering information for a second order on said order pad screen; and continuing to enter ordering information for said first order or said second order under control of said web order management system, until receiving a message from said web order management system that a quality order had been achieved for one of said first and second orders, as disclosed in Ferguson, because it would advantageously provide the user with a wide choice of goods or services offered by various vendors, thereby stimulating users to shop more, and, thereby, increasing revenue.

Claim 10. Ferguson teaches said method wherein after said second order is commenced, said buyer completes said second procedure and finishes said second order before going back to said first, incomplete order to complete the first procedure and finish the first order (at any time during shopping, completing the first order, or

continue shopping, or selecting a different merchant, or going back to the first merchant) (Ferguson; col. 2, lines 35-41; col. 12, lines 35-44). The motivation to combine the references would be to provide the user with a flexibility of shopping, as well as providing the user with a wide choice of goods or services offered by various vendors, thereby stimulating users to shop more, and, thereby, increasing revenue.

Claim 11. Ferguson teaches said method wherein after said second order is commenced, said buyer does not complete a second procedure and finish said second order at that time, and instead goes back to the first, incomplete order to complete the first procedure and finish the first order; and later said buyer goes back to said second, incomplete order to complete the second procedure and finish the second order (at any time during shopping, completing the first order, or continue shopping, or selecting a different merchant, or going back to the first merchant) (Ferguson; col. 2, lines 35-41; col. 12, lines 35-44). The motivation to combine the references would be to provide the user with a flexibility of shopping, as well as providing the user with a wide choice of goods or services offered by various vendors, thereby stimulating users to shop more, and, thereby, increasing revenue.

Claim 12. Barnes teaches said method wherein the step of entering ordering information at predetermined locations on the order pad screen comprises: entering quantities into quantity input fields of the order pad screen (col. 21, line 50).

Claim 13. Ferguson teaches said method further comprising: commencing at least one additional order before finishing either of said first order or said second order

(Ferguson; col. 2, lines 35-41; col. 12, lines 35-44). The motivation to combine the references would be to provide the user with a flexibility of shopping, as well as providing the user with a wide choice of goods or services offered by various vendors, thereby stimulating users to shop more, and, thereby, increasing revenue.

Claim 15 is rejected on the same rationale as set forth above in Claim 5.

Claim 16 is rejected on the same rationale as set forth above in Claim 9.

System claim 17 repeats the subject matter of method claim 1, as a set of apparatus elements rather than a series of steps. As the underlying processes of claim 1 have been shown to be fully disclosed by the teachings of Barnes and Lederer in the above rejections of claim 1, it is readily apparent that the system disclosed by Barnes and Lederer includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claim 1, and incorporated herein.

Response to Arguments

Applicant's arguments filed on 09/25/2006 have been fully considered but they are not persuasive.

In response to Applicant's argument that the prior art does not teach *"interactively entering ordering information at predetermined locations on said order pad screen until, under control of said web order management computer system, a quality order is validated in substantially real time"*, it is noted that the prior art does, in fact, teach said feature. Specifically, Fig. 21 in Lederer shows an interface which includes an

area (2106) that allows a user to enter product information [0152]. As per “order validated in substantially real time” feature, Lederer teaches “a system which includes functionality for examining the information to determine whether it may be successfully processed (validated) by the system...” [0013]. As per “substantially real time” per se, receiving information via email [0055] indicates this feature.

In response to Applicant’s argument that the prior art does not teach “*continuing to enter ordering information for said first order or said second order under control of said web order management system, until receiving a message from said web order management system that a quality order had been achieved for one of said first and second orders*”, it is noted that the prior art does teach said feature. Specifically, Ferguson teaches: “When the user has finished entering the information on the order form, the user selects “review order”. If any information is omitted or incorrect is detected, the user will be prompted to re-enter the erroneous or omitted information... the electronic shopping system then completes the transaction... and provides a receipt (message) to the user” (col. 12, lines 65-67; col. 13, lines 1-5).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mila Airapetian whose telephone number is (571) 272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571)272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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